

## NOTICE OF AGENCY RULE-MAKING PROPOSAL

**AGENCY:** Department of Marine Resources

**RULE TITLE OR SUBJECT:** Chapter 25.15 V-notch, Zero Tolerance - Lobster

**CONCISE SUMMARY:**

This proposed rulemaking would implement mandatory v-notching of all egg bearing female lobsters with a definition of zero tolerance. The proposed measure would adopt the long-standing conservation practice by Maine lobster fishers and standard operation procedures recognized by enforcement personnel. The proposed measure would meet compliance requirements with the Atlantic States Marine Fisheries Commission (ASMFC) February 20, 2002 approval of Addendum III to Amendment 3 to the Interstate Fisheries Management Plan for American Lobster required to be implemented by ASMFC member states by July 1, 2002.

**STATUTORY AUTHORITY:** 12 M.R.S.A. §6171, §6436

**PUBLIC HEARING:** None scheduled; one may be requested.

**DEADLINE FOR COMMENTS:** Friday, May 10, 2002

**AGENCY CONTACT PERSON:** Col. Joe Fessenden  
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*Proposed regulation:*

DEPARTMENT OF MARINE RESOURCES  
Chapter 25 - Lobster and Crab Fishing

25.15 V-notching Lobsters

1. Mandatory V-notching Requirement

All lobster fishers are required to v-notch all egg bearing female lobsters caught in the process of lobstering.

2. Zero Tolerance of V-notching

V-notched female lobster means any female lobster bearing a v-shaped notch of any size in the flipper next to and to the right of the center flipper as viewed from the rear of the female lobster. V-notched female lobster also means any female, which is mutilated in a manner, which could hide, obscure or obliterate such a mark. The flipper right of the center flipper will be examined when the underside of the lobster is down and its tail is toward the person making the determination.